

Of Counsel:
ALSTON HUNT FLOYD & ING
Attorneys At Law
A Law Corporation

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEB 20 2004
at 4 o'clock and 12 min. PM
WALTER A.Y.H. CHINN, CLERK

PAUL ALSTON 1126-0
GLENN T. MELCHINGER 7135-0
American Savings Bank Tower
1001 Bishop Street, 18th Floor
Honolulu, Hawai'i 96813
Telephone: (808) 524-1800
Facsimile: (808) 524-4591
Email: gtm@ahfi.com

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

SPORTS SHINKO (USA) CO.,
LTD., a Delaware corporation,

Plaintiff,

vs.

PUKALANI GOLF CLUB, LLC, a
Hawai'i limited liability company;
and KG MAUI DEVELOPMENT,
LLC, a Hawai'i limited liability
company,

Defendants.

CIVIL NO. CV04 00125 **HG LEK**
**COMPLAINT TO SET ASIDE
FRAUDULENT TRANSFER
(PUKALANI); SUMMONS**

ATTEST: A True Copy
WALTER A.Y.H. CHINN
Clerk, United States District
Court, District of Hawaii
By W. Chinn Deputy

**COMPLAINT TO SET ASIDE FRAUDULENT
TRANSFER (PUKALANI)**

Plaintiff SPORTS SHINKO (USA), CO., LTD. ("SS USA"),
by and through its undersigned attorneys, brings this action to set
aside transfer made in violation of the Uniform Fraudulent Transfer
Act, HRS Ch. 651C. SS USA seeks damages as well as equitable
and declaratory relief.

PARTIES

1. Plaintiff SS USA is a corporation organized and
operating under the laws of Delaware. Its principal place of
business is in West Virginia. SS USA's majority owner is Sports
Shinko Co., Ltd. ("SS Japan"), a Japanese corporation. SS Japan
is in reorganization under Japanese law under the control of
Trustee Mutsuo Tahara and Deputy Trustee Keijiro Kimura
(collectively, the "Trustee"). Keijiro Kimura is President of Sports
Shinko (Hawai'i) Co., Ltd. ("SSH"), a Hawai'i corporation, which is
wholly owned by SS USA. SSH owns all the stock of Sports Shinko
(Pukalani) Co., Ltd.

D. Order an accounting of all revenues received and expenses paid by Defendants PGC and KGMD in connection with the Pukalani Properties; and

E. Award SS USA damages commensurate with the proof at trial as well as its attorneys' fees and costs, and such other and further relief as may be just and proper.

DATED: Honolulu, Hawai'i, February 20, 2004.



PAUL ALSTON
GLENN T. MELCHINGER
Attorneys for Plaintiff